



COMMONWEALTH OF MASSACHUSETTS
**Board of Registration
of
Hazardous Waste Site Cleanup Professionals**

MINUTES
of
BOARD MEETING
Held on
September 27, 2010

Meeting Location: RAYTHEON COMPANY
Waltham Woods, 870 Winter Street
Waltham, Mass.

Prepared by: T. Wood

[Approved: December 6, 2010]

List of Documents Used at the Meeting:

1. Agenda
 2. Draft Minutes of Meeting held on August 10, 2010
 3. Application Dockets
 4. Memo re: Request for Destruction of Paper Copies of Some Archived Board Documents
 5. Draft FY-2011 Program Priorities
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1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at 3:27 p.m. The other Board members present were Gail Batchelder, Kirk Franklin, Christophe Henry, Gretchen Latowsky, Robert Luhrs, and Kelley Race. Board members absent: Deborah Farnsworth, Jack Guswa and Debra Stake. The LSP Board staff members present were Lynn Read, Terry Wood and Al Wyman. Also present was Tom Potter of MassDEP.
 2. **Announcements:** None.
 3. **Agenda:** The following item: 8.D. Question re: Exam Reviews was added to the agenda.
 4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on August 10, 2010. **A motion was made and seconded to approve the minutes. The motion was approved unanimously.**
 5. **Decisions Regarding Licensing of Applicants:** The staff presented the following Application Dockets:

ID #	Applicant Name/Company Name	ARP #	REC.
2845	Ryan S. Hoffman, GEI Consultants, Inc.	233	A
7231	Robert J. Leventry, Green Environmental, Inc.	233	A
5539	Shawn D. Rising, Environmental Compliance Services, Inc.	233	A

Ms. Commerford and Mr. Henry were recused and left the room.

A motion was made and seconded to accept the recommendation from Application Review Panel #233, i.e., that the applications submitted by Mr. Hoffman, Mr. Leventry and Mr. Rising be approved and that they be found eligible to take the exam. The motion was approved unanimously.

Ms. Commerford and Mr. Henry returned and rejoined the meeting.

ID #	Applicant Name/Company Name	ARP #	REC.
4442	Joseph Schmidl, Weston Solutions, Inc.	234	A
4718	Steven R. Passafaro, Maguire Group, Inc.	234	A
2372	James S. Currier, EBI Consulting	234	A

A motion was made and seconded to accept the recommendation from Application Review Panel # 234, i.e., that the applications submitted by Mr. Schmidl, Mr. Passafaro and Mr. Currier be approved and that they be found eligible to take the exam. The motion was approved unanimously.

6. **License Renewal Applications:**

A. **Renewal Dockets.** No renewal dockets were presented at the meeting.

7. **Other Licensing-Related Matters:**

A. **New Panel Assignments and Scheduling.** No new panels were assigned.

B. **Appeals Status Report.** Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.

C. **Inactive Status Report.** The staff reported that there have been no changes since the last meeting. A total of 4 LSPs are currently on Inactive Status.

D. **Total Number of Active LSPs.** The staff reported that the total number of Active LSPs as of the date of this meeting was 555.

8. **Examinations:**

- A. New Licensees.** The staff reported that an examination has not been administered since the last meeting.
- B. Date of Next Exam.** To be determined.
- C. Status Report re: future administration of the exam.** Ms. Wood stated that the Board had asked her at the last meeting to compile some data regarding how many individuals had taken the LSP examination over the past couple of years. She reported that the examination was offered ten times over the past two years and, while the exam was administered to a total of 57 people over that time, a number of those 57 took the exam several times. In total, only 32 individuals took the exam over that time frame. 14 people took the exam once, 13 people took the exam twice, 3 people took it three times, and 2 people took the exam four times .

Ms. Wood also reported that she had looked into the Board's budget to see whether money would be available to pay for the Web-based version of the program which might have allowed the Board to administer the electronic version of the exam to more than six people at a time as the Board is currently allowed to do with the six software licenses it owns. She stated that the Board's budget has very little money that can be used for administrative-type expenses so the Board could not afford to change the way it administers the electronic version of the exam.

The Board discussed the possibility of offering the exam on several consecutive days several times per year in order to accommodate the number of people likely to want to take the exam. The Board also discussed the possibility of giving priority to people who have not yet taken the exam over people who have taken the exam and failed. The Board also discussed that the two attorneys who, along with a staff investigator, are the only remaining Board staff, are in the midst of adjudicatory appeals that command the majority of their time. In appreciation of the Board's limited staffing, the Board did not set a date for the next LSP exam but will discuss the possibility of setting a date at their next monthly meeting.

- D. Question regarding Exam Reviews.** Ms. Wood stated that someone had recently requested permission to review the wrong answers on the same exam a second time after having already come into the Board's office for an review of that exam. People who fail the LSP examination are allowed to come into the LSP Board offices to review the questions they got wrong. Ms. Wood stated that she had called the Board's former executive director to ask if a second review was allowed and he said the issue had never come up while he was at the Board. Ms. Wood asked the Board whether they wanted to allow a person to review the wrong answers on a particular exam more than once. After discussion a motion was made and seconded that a person only be allowed to review the questions she/he got wrong on a particular administration of the exam only once. The motion passed unanimously.

9. **Continuing Education Committee Report:**

- A. **Course and Conference Approval Requests.** Mr. Wyman reported that the Committee had met earlier in the day and had the following course recommendations to present to the full Board:

Sponsor: MASSDEP

Course Title: The MCP Audit 2010/11 – A Case Study Approach

Credits Requested: 4 DEP Regulatory Credits

Committee Recommendation: **Approve this course for the credits requested.**

Sponsor: RUTGERS

Course Title: Environmental Forensics

Credits Requested: 7.5 Technical Credits

Committee Recommendation: **Approve this course for the credits requested.**

Sponsor: RAM's HORN

Course Title: Pneumatic Slug Testing

Credits Requested: 4 Technical Credits

Committee Recommendation: **Approve this course for the credits requested.**

However, if someone took the field version of this course (#1404), they would only be eligible to gain 2 Technical Credits from this course.

A motion was made and seconded to accept the Committee's recommendation. The motion was approved unanimously.

- B. **Other Business:** The Committee considered a request for approval for an additional instructor for the SESOIL and AT123D training seminar and recommended that the Board approve this request.

A motion was made and seconded to accept the Committee's recommendation. The motion was approved unanimously.

10. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the meeting of the Professional Conduct Committee held earlier in the day, the Board agreed to forego a Committee report.

11. **Personnel, Budget, and Fees**

A. **Personnel Update.** Ms. Commerford reported that the Board staff was still composed of just three people. She stated that she had requested permission from the MassDEP Commissioner to make an internal post within MassDEP for someone to apply for the open Program Coordinator position at the Board.

B. **Budget.** There have been no changes to the Board's budget.

C. **Fees.** The staff reported that in January they need to send out annual fees to all LSPs and renewals to more than 200 LSPs. Due to staffing limitations, Ms. Commerford stated she may try to find someone to assist the staff with these duties.

12. **Status of Board Member Replacements by Governor:** Ms. Commerford stated that she has learned that the package for the two candidates for the Board are at EEA and have not yet been forwarded to the Governor's office.

13. **Other Business:**

A. **Review proposal re: destruction of paper copies of some archived Board documents.** Mr. Wyman stated that the majority of the Board's files have been scanned. He also stated that the Board has approximately 90 boxes of archived Board documents. Considering that the documents in these boxes have been scanned and, therefore, are available in electronic format, he was requesting permission from the Board to begin the process of destroying the paper versions. He asked to begin with an initial destruction of 20 boxes of documents. A motion was made and seconded to approve the request. The motion passed unanimously.

B. **Review draft FY-2011 Program Priorities.** Discussion of the draft was tabled until the next meeting.

C. **Topic for next article in the *LSPA News*.** Due to staffing limitations, the Board staff will not be preparing an article.

D. **Other New Business.** There was no other new business.

14. **Scheduling of Next Meeting:** The Board is scheduled to meet on December 6th at Weston and Sampson in Peabody.

15. **Adjournment:** The meeting was adjourned at 4:27 p.m.